

Separating/Dividing/Receiving

Cheetah Has Agreed to Defendants' Constructions and Defendants' Rationale

CHEETAH OMNI'S BRIEF IN RESPONSE TO SAMSUNG'S CONTINGENT MOTION FOR SUMMARY JUDGMENT ON INDEFINITENESS FOR CLAIM 15 OF THE '862 PATENT

Samsung has conditionally moved for a finding of indefiniteness of claim 15.

As explained below, Samsung's motion is moot.

(Samsung's Brief at 6-7.) After considering the arguments defendants made in their Claim Construction Brief, Cheetah now agrees. Both the "separating" step [2] and the "dividing" step

Relevant Claim Language

communicating **an optical signal for processing**, the optical signal comprising a plurality of wavelengths; [the “communicating” step]

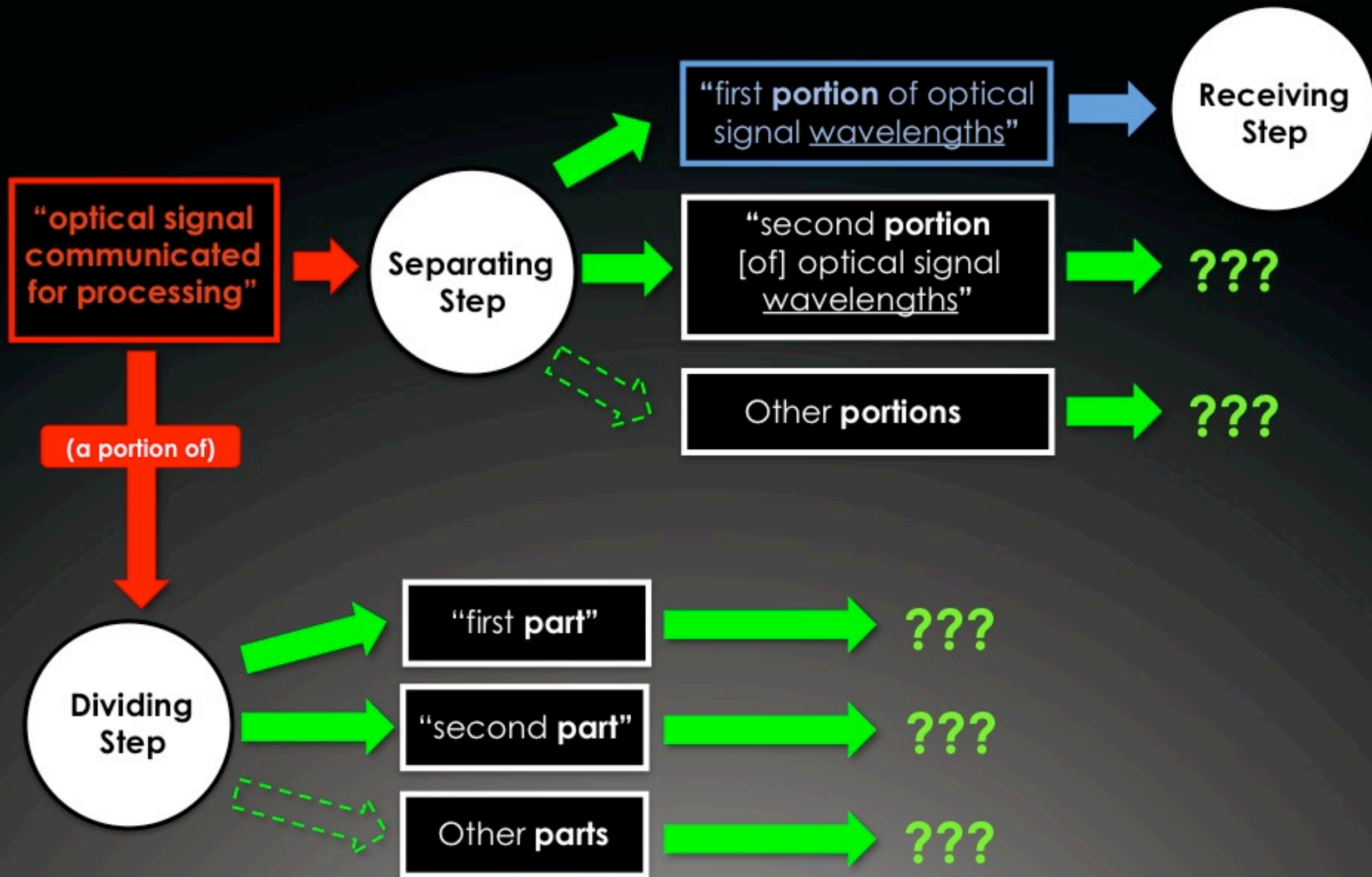
separating the **optical signal communicated for processing** into at least **a first portion of optical signal wavelengths** and a second portion optical signal wavelengths; [the “separating” step]

dividing at least **a portion of the optical signal communicated for processing** into at least a first part and a second part, wherein the first part comprises an amplitude that is different than an amplitude of the second part; [the “dividing” step]

receiving at least **the first portion of optical signal wavelengths** at a moveable mirror of a micro-electro-optic system (MEMS) device; [the “receiving” step]

reflecting **the first portion of optical signal wavelengths** from the moveable mirror to form at least one MEMS output signal having an amplitude, the amplitude of the MEMS output signal capable of being changed by moving the moveable mirror. . .

Structure of Claim 15



Agreed Inputs and Outputs – Claim 15

STEP	INPUT	OUTPUT
communicating		“ an optical signal for processing ”
separating	“ the optical signal communicated for processing ”	“at least a first <u>portion</u> of optical signal <i>wavelengths</i> and a second <u>portion</u> [sic] optical signal <i>wavelengths</i> ”
dividing	“at least a portion of the optical signal communicated for processing ”	“at least a first <u>part</u> and a second <u>part</u> ”
receiving	“at least <u>the first portion</u> of optical signal <i>wavelengths</i> ”	